

Resolution for a Ninth Contract Modification to the General Engineering and Consultant Services Agreement with ms Consultants, Inc. for updates to the General Conditions and the Pleasant Acres Mobile Home Park Pump Station Improvements Project.

(Sanitary Engineering)

WHEREAS, ms Consultants, Inc. has been providing a variety of general engineering services for this Department since a General Engineering and Consulting Services Contract (Original Agreement) was established in 2008 (resolution 401-08); and

WHEREAS, the Pleasant Acres Mobile Home Park Pump Station Improvements Project (PAMHP) was evaluated, designed and prepared for bidding and construction as authorized by the Original Agreement and subsequent modifications thereto; and

WHEREAS, the Sanitary Engineer was to construct a pump station and force main to connect the PAMHP to its Darbydale Wastewater Treatment Plant, thus the reason for design document preparation, yet the PAMHP Project has been idle for some time due to regulatory issues between the PAMHP Owner and the State and it has never been bid or constructed; and

WHEREAS, fees previously allocated for the PAMHP Project through prior contract modifications to the Original Agreement have not been expended; and

WHEREAS, the Sanitary Engineer now desires ms Consultants, Inc. to now update the cost estimate, contract documents and regulatory permit which constitutes a change in the Scope of Work with an associated fee to be utilized from prior approved fees; and

WHEREAS, the Original Agreement also has outdated terms and conditions since its adoption that need to be updated; and

WHEREAS, the attached Ninth Contract Modification shall modify the governing contract, the terms and conditions of which are referenced and fully incorporated as if fully rewritten herein, and is binding on both parties; and

WHEREAS, this modification serves to modify Sections 3.1, 3.2, 4.1 and 4.2 of the Original Agreement to update certain general conditions

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and to address the Scope of Work modification for the PAMHP Project with a reallocation of previously approved fees and no additional fee approval; now therefore,

BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

1. That the attached Ninth Modification to the General Engineering and Consulting Services Contract with ms Consultants, Inc. is hereby approved.

Prepared by: K. Marie Strandwitz